THE MADRAS LEGISLATIVE COUNCIL.

Thursday, the 20th August 1925.

The House met at 11 o'clock, Mr. President (the hon. Diwan Bahadur L. D. SWAMIKANNU PILLAI Avargal, C.I.E., I.S.O.) in the chair.

I

QUESTIONS AND ANSWERS.

[*Order made by the President of the Madras Legislative Council under Standing Order No.* 15 *on the 4th December* 1924—

1. Starred questions to be put at a meeting of the Council with their answers shall be printed and placed on the Council table an hour before the President takes his seat.

The Secretary shall call out the name of each interpelator in the order in which the names are printed, specify the serial number of his question and make a sufficient pause to give him or any other member a reasonable opportunity of rising in his place and putting a supplementary question. Supplementary questions must be put immediately after the principal questions to which they relate.

2. If a member responsible for a starred question happens to be absent when it is called, it will be open either to him or to any other member to put supplemental questions thereon after the other starred questions for the day have been answered, provided question time is not thereby exceeded.

3. Questions, not starred, will not be called in Council, but they will be printed with their answers and placed on the table of the House along with the list of starred questions. Oral supplementary questions will not be allowed in regard to unstarred questions.]

STARRED QUESTIONS.

Bench Courts.

The second-class Bench Court, Tanjore.

*163 *Q.*—Rao Sahib U. RAMA RAO: Will the hon. the Law Member be pleased to state—

(*a*) how long it is since the present President of the second-class Bench Court, Tanjore, took charge of his office;

(*b*) whether he has been absent off and on for weeks together;

(*c*) whether it is a fact that the first-class President presides over the second-class Bench also, during his absence;

(*d*) if so, whether appealable cases are made non-appealable thereby, causing hardship and injustice to poor people; and

(*e*) if the first-class Bench Court has no cases whether the Government will kindly consider the abolition of that Court?

A.—(*a*) The present president took charge of the office on the 27th February 1925.

(*b*) He took leave on two occasions as noted below :—

(1) For eight days from the 1st June 1925.

(2) From the 22nd June to the 21st July 1925.

(*c*) Yes.

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(*d*) The procedure did not result in hardship and injustice to the poor by making appealable cases non-appealable as out of 224 cases tried by the first-class Bench President while he was in charge of the second-class Bench Court, only four cases were contested and the fines levied in those cases ranged from four annas to rupee one.

(*e*) The suggestion that the first-class Bench Court has not got sufficient work has no foundation as the work of the Bench is steadily on the increase. The number of cases tried by the Bench in 1924 was 329 against 114 of 1923 and the number till 15th July 1925 was 324 excluding the second-class cases tried by the first-class Bench.

Civil Justice.

Grant of increments to unpassed men.

*164 Q.—Khan Bahadur HAJI ABDULLA HAJI QASIM SAHIB: Will the hon. the Law Member be pleased to state whether the Government will call for and place on the table the Accountant-General's reply No. T.M. 25-4-40`5, dated 20th/21st March 1923, to the letter No. R.O.C. 480/23, dated 12th March 1923, of the Registrar of the High Court, Madras, thereon in the matter of the grant of increments to unpassed men?

A.—The Government are not prepared to lay the communication referred to on the table.

Khan Bahadur HAJI ABDULLA HAJI QASIM SAHIB:—" May I know the reason, Sir?"

The hon. Sir C. P. RAMASWAMI AYYAR:—" I think the reason is contained in the question itself. We are asked to lay on the table the Accountant-General's reply to the Registrar of the High Court, Madras. Correspondence like that which passes between two different departments are not generally placed on the table of the Council. If it is a letter addressed to the Government or a letter emanating from the Government itself, it is a different matter. It may be the views of the Accountant-General might not have been agreed to by the High Court, and we cannot place them on the record of the House."

Activities of the Rule Committee as per the Report of the Civil Justice Committee.

*165 Q.—Mr. G. RAMESWARA RAO: Will the hon. the Law Member be pleased to state—

(*a*) whether the Government have perused the report of the Civil Justice Committee;

(*b*) whether they propose to take any action in the matters referred to therein especially increasing the activities of the Rule Committee and other matters requiring action by the local Government and those meant for consideration of the presiding officers; and

(*c*) whether he would place on the table of the House an outline of the action proposed to be taken by the Government and take the opinion of the Council thereon?